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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

CORAZON F. AGUDO,

Plaintiff,

vs.

COUNTRYWIDE HOME LOANS; BANK OF
AMERICA; RECONTRUST; MERS; et al.,

Defendants.

Case: 2:10-cv-00172-PMP-LRL

ORDER CANCELING LIS PENDENS

This Court granted Defendants Countrywide Home Loans, Inc.'s, Bank of America's and Recontrust Company's ("Defendants") Motion to Dismiss on August 23, 2010, [DE 19].

Defendants further request that the lis pendens currently recorded against the subject property by Plaintiff Corazon F. Agudo ("Plaintiff") be canceled.

The Court finds that Plaintiff recorded a Notice of Pendency of Action ("Lis Pendens") on or about February 8, 2010, in Book No. 20080208 as Instrument No. 0004062 in the real property records maintained by the Clark County Recorder. A copy of the Lis Pendens is attached hereto as Exhibit "A."

UPON CONSIDERATION of Defendants' request to cancel the Lis Pendens, and good cause appearing therefore, the Court hereby grants Defendants their requested relief and rules as follows:

1. IT IS ORDERED, ADJUDGED, and DECREED that the Lis Pendens is hereby cancelled, released, and expunged.

2. IT IS FURTHER ORDERED, ADJUDGED and DECREED that this order canceling the Lis Pendens has the same effect as an expungement of the original Lis Pendens.

ENTERED this 24th day of August, 2010.

Submitted by:

By: J. CHRISTOPHER JORGENSEN, ESQ.
3993 Howard Hughes Pkwy., Ste. 600
Las Vegas, NV 89169

Attorneys for Defendants

EXHIBIT “A”

Corazon F. Agudo
3370 Heavenly View Ct.
Las Vegas, NV 89117
702.810.3422

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DISTRICT COURT OF UNITED STATES
DISTRICT OF LAS VEGAS NEVADA
ARTICLE III DEPUTY

Corazon F. Agudo
Plaintiff,

vs.

COUNTRYWIDE HOME LOANS
AND BANK OF AMERICA,
RECONTRUST, AND MERS, and
Does 1-10,

Defendants

) **CASE NO.**

) **NOTICE OF LIS PENDENS**

2:10-cv-00172-PMP-LRL

Notice is given that the above-entitled action was filed in the above entitled court on

February 8, 2010 by Corazon F. Agudo, Plaintiff against the above named

Defendants. The action affects title to the specific real property in the complaint of the
action.

The real property affected by the action is located in Clark County, Nevada and is

Described as follows: 3370 Heavenly View Ct., Las Vegas, NV 89117

If in fact under UCC 3-309(a) “a person not in possession of an instrument may enforce it only if he/she was in possession of the instrument at the time of loss of possession.” Dennis Joslin Co. v. Robinson Broadcasting Corp. 977 F. Supp. 491 (D.D.C. 1997).

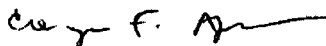
CASE LAW

**Commonwealth of Massachusetts the Trial Court Department
Memorandum and order on the Plaintiffs' Motions to Vacate Judgment
U.S. BANK NATIONAL ASSOICATION V Antonio Ibanez case no. 08 MISC
384283 (KCL) and WELLS FARGO BANK**

V. Mark A Larace and Tammy L. Larace Case no. 08 MISC 386744 KCL

To accept the plaintiffs' arguments is to allow them to take someone's home without any demonstrable right to do so, based upon the assumption that they ultimately will be able to show that they have that right and the further assumption that potential bidders will be undeterred by the lack of a demonstrable legal foundation for the sale and will nonetheless bid full value in the expectation that that foundation will ultimately be produced, even if it takes a year or more. The law recognizes the troubling nature of these assumptions, the harm caused if those assumptions proved erroneous, and commands otherwise. For the foregoing reasons, the plaintiffs' motions to vacate the Judgment in these cases are DENIED SO ORDERED BY THE COURT (Long, J.) Dated 14 October 2009

DATED: February 8, 2010



Corazon F. Agudo